

REMARKS

Applicant has carefully reviewed and considered the Final Office Action mailed on August 13, 2003, and the references cited therewith.

Claims 1, 13, 22, 23, 30, 32-35 and 41 are amended herein. As a result, claims 1-41 are now pending in this application.

§102 Rejection of the Claims

Claims 1, 13, 23, 33, 34, and 41 were rejected under 35 USC § 102(e) as being anticipated by Leman (2001/0054986). This rejection is respectfully traversed. Applicant reserves the right to swear behind the reference. The claims have been amended to clarify the operation of the invention with respect to primary and secondary areas of the display. The use of primary and secondary is consistent with language on page 1, lines 18-29:

“For example, in a word processing application such as Microsoft® Word, the goal would be to reduce the tool bar and button areas (i.e. the secondary area) and increase the window in which the document is being edited (i.e., the primary area). Logically, a general increase in the size of the overall display area also helps to achieve this goal of increasing the viewing of the primary area for a particular software application.

However, certain circumstances do not lend themselves to allowing an increase in the overall display area. For example, an individual using a laptop computer on an airplane would probably be unable to have a large display area for the computer due to space constraints associated with an airplane. Accordingly, there needs to be a compromise for maximizing display area at appropriate times of computer use.”

Examples of the different sets of information in the detailed description include providing different views, such as providing a 2D view on one display, and the tool bars and buttons on a third display on page 7. In essence, secondary sets of information are interactive areas of an application that take up space that is desired for display of a document, or other object that an application is working with, referred to as primary information. Since there is no common definition in the art for the terms primary and secondary sets of information, they should take the meaning clearly set forth in the application.

Leman describes a second display that accepts input from a pen, or can be used together to form a larger display, or even individually from the first display as described in the abstract. Lemman does not teach or suggest the rearrangement of application data claimed in each of the independent claims of the present application. It does not teach that secondary information is taken from a primary display and automatically displayed on a secondary display to increase the viewing area of primary information on the primary display. As such, the rejection should be withdrawn.

Claims 1, 13, 23, 29, 33, 34, 35, and 39-41 were rejected under 35 USC § 102(a) as being anticipated by Gouko (US 6,222,507 B1). This rejection is respectfully traversed. The claims have been amended to clarify the operation of the invention with respect to primary and secondary areas of the display.

Gouko describes sub panels for showing "...left and right areas or upper and lower areas..." Further, it describes with respect to a car chase game: "a scene around the car can be displayed in a real manner by being divided into the sub panels, respectively." Col. 5, lines 51-61. There is no teaching in Gouko of using secondary displays for secondary information as claimed in each of the independent claims. As Gouko is lacking at least one element of each of the pending claims, a prima facie case of anticipation has not been established, and the rejection should be withdrawn. Gouko also does not teach the automatic rearrangement of secondary and primary information to increase the viewing area of primary information on a primary display as claimed in each independent claim.

Claims 1, 2, 6, 12, 13, 16, 17, 23, 24, 27 and 33 were rejected under 35 USC § 102(e) as being anticipated by Rebeske (US 2,950,381). This rejection is respectfully traversed. In Rebeske as indicated in Col. 3, lines 11-30 referenced in the rejection, the second screen is used in an opposite manner: "...the operator may not want to permit such non-essential information as toolbars, display options, or program information to be displayed on the second display screen..." Thus, it specifically does not show interactive tertiary information on the second display as claimed in all the independent claims. Since Rebeske is lacking at least one element

of each of the pending claims, a prima facie case of anticipation has not been established, and the rejection should be withdrawn.

§103 Rejection of the Claims

Claims 36, 37 and 38 were rejected under 35 USC § 103(a) as being unpatentable over Gouko (US 6,222,507 B1) in view of Failla (US 5,128,662). This rejection is believed moot in view of the amendments to the claims and that Failla does not teach or suggest the elements of the claims that are missing from Gouko. The Office Action admitted that Gouko does not teach a “spring loaded switch providing a conductive path for a reconfiguration signal”, however, the Office Action maintained that this is inherent in Gouko because it would have been an obvious design choice. Applicant respectfully disagrees. The Office Action has not established a *prima facie* case of inherency because, as recited in MPEP § 2112, “In relying upon the theory of inherency, the examiner must provide basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art,” citing *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). It is quite apparent that other design choices might include a separate user activated switch, or perhaps a user interacts with software to inform of the reconfiguration of the displays. Thus, it is clear that the allegedly inherent characteristic does not necessarily flow from the teachings of the applied prior art, and the rejection should be withdrawn.

Claims 22, 25, 26 and 30-32 were rejected under 35 USC § 103(a) as being unpatentable over Rebeske (US 6,295,038) in view of Hendry et al. (US 5,682,529). This rejection is respectfully traversed because a prima facie case of obviousness has not been presented.

With respect to claim 22, the office action fails to address at least one element of the claim. The Office Action does not point out where the references teach “displaying a reconfiguration screen on the primary display device, the reconfiguration screen including a number of reconfiguration options;”. As neither reference, alone or combined teaches this element, the rejection should be withdrawn.

Claims 25-26 depend from claim 23 which was amended to include primary and secondary sets of information. The claims also recite that the viewing area in the primary

display is increased for the primary information when the secondary display is extended. The claims are believed to distinguish the references since neither Rebeske nor Hendry et al. show these claimed elements.

Independent claims 30 and 32 were amended to include primary and secondary information, and increasing the viewing area on the primary display for the primary information. As such, these claims also clearly distinguish the references since neither Rebeske nor Hendry et al. show these claimed elements. Dependent claim 31 includes the elements of claim 30 and distinguishes the references for at least the same reasons.

Claims 2-5, 7-11, 14, 15, 18-21 and 28 were rejected under 35 USC § 103(a) as being unpatentable over Rebeske (US 6,295,038) in view of Failla (US 5,128,662). Each of these claims depends from an independent claim that describes primary and secondary information and increasing the viewing area on the primary display for the primary information by extending the secondary display. Since the references either alone or combined do not show these elements, they clearly distinguish the references as argued above. Failla does not provide these missing element. As such, the rejection should be withdrawn as a *prima facie* case of obviousness has not been established.

Examiner's Response to Arguments

On page 12 of the Office Action mailed 8, 12, 2003, the Examiner responded to arguments. That response is believed moot in view of the claim amendments. However, Applicant would like to rebut some of the arguments in the unlikely event that they are maintained against the amended claims.

The Office Action indicates that "interactive tertiary information" is inherently anticipated by Gouko. To the extent that it is being stated that since a display is controllable, the placement of different types of sets of information as claimed is inherent in Gouko, applicant respectfully disagrees. The Office Action has not established a *prima facie* case of inherency because, as recited in MPEP § 2112, "In relying upon the theory of inherency, the examiner must provide basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art,"

citing Ex parte Levy, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). It is quite apparent that other design choices might include, and are specifically recited above as including touchscreen capability per Leman, or displaying the same information as described in Rebeske. Thus, it is clear that the allegedly inherent characteristic does not necessarily flow from the teachings of the applied prior art, and the rejection should be withdrawn.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6972) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0439.


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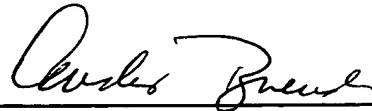
Date 12/2/2003

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of December, 2003.

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